

### REMARKS

Claims 1-3 and 5-8 are currently pending. Claims 1-3 and 6-8 have been amended.

The Examiner rejected claims 1-3 and 5-8 under 35 U.S.C. §102(b) as being unpatentable over David et al. (WO 98/09290).

Claims 1-3 and 6-8 have been amended to correct informalities in order to put the claims in better form for appeal and not in response to the Examiners rejection. Applicants respectfully traverse the §102(b) rejections of claims 1-3 and 5-8 with the following arguments.

### 35 USC § 102

As to claims 1, 5 and 7 the Examiner states that "David discloses and meets the limitations associated with a method of reproducing from a record carrier storing at least video related and control data items in digital form (abstract, "interactive control" and page 4, "MPEG"), which control data enable playback control of the user data, which control data comprises at least play control data which defined user data items which are playable (page 5, "Play list"), at least selection control data for enabling a user to select and control reproduction of user data and at least variable control data for operating on user and system variables (page 7-8, "defaults country, language levels of ratings {TOC}, player .capability, user variables and system variables), characterized in that the variable control data comprises a~ least one conditional arithmetic operation(page 9" "additions, subtractions, multiple and divide", used in the programming of the interactive disk to provide control and data selection, locating, jumping to a different part of a sequence based on user input); wherein the conditional operations are the interactive operation, requesting a user input in the form of a menu to dictate the--direction of the interactive operations, provided in a wait loop {abstract}, wherein unconditional GOTO, is a

point in the play list which directs the playback in one direction only, merely one item in the play list, where the user does not choose the next sequence, which each command list comprises only one instruction apart from the unconditional GOTO met when the user initiates reproduction from a play list and start item is unconditional because there exist no multiple paths or user control, any play list provides an unconditional GOTO when selecting the first item to reproduce.”

Applicants contend that claim 1 is not anticipated by Edward et al. because Edward et al. does not teach each and every feature of claim 1. For example, Edward et al. does not teach “wherein the variable control data comprises at least one instruction for a **conditional arithmetical operation.**” Applicants respectfully point out the Examiner has mixed two separate and distinct teachings of Edwards et al. First, Edwards et al. on page 7, lines 13-19 and in FIG. 5, teaches a Statement List which contains program instructions having the format: Statement\_List-Header; Operands and Next\_List-Offset. The Statement\_list\_header identifies operations to be carried out by the Operands. The Examiner is correct in stating the Operands may be arithmetic. However, the statements are **not conditional**, in that the operation of the operand is performed whenever the statement is called and results in only one possible result. Second, Edwards et al. on page 9, lines 10-19 and in FIG. 6, teaches a Conditional List which contains program instructions having the format: Control\_List\_Header; Operands, True\_List\_Offset and False\_List\_Offset. The operands are the logical functions true and false. These statements are **not arithmetic** but logical operations. The result of the operation can result in two different results depending upon the condition (true or false) defined in the Conditional\_List\_Header. Since the operation is performed, even these are not conditional operations as defined on page 8 lines 10-12 of Applicant’s disclosure wherein a conditional operation is an operation wherein the operation itself is conditionally performed. Therefore,

Edwards, et al. teaches an **arithmetic operation** and further teaches a **conditional outcome of a logical operation**, but not a **conditional arithmetic operation**, i.e. an operation that is performed conditionally. Thus, there is no specific or suggested **conditional arithmetic operation** taught by Edwards. et al.

Based on the preceding arguments, Applicants respectfully maintains that claim 1 is not unpatentable over Edward et al. and is in condition for allowance. Since claims 2, 3 and 8 depend from claim 1, Applicants respectfully maintain that claims 2,3 and 8 are likewise in condition for allowance.

Applicants contend that claim 5 is not anticipated by Edward et al. because Edward et al. does not teach each and every feature of claim 5. For example, Edward et al. does not teach “the control data comprising instructions for **conditional arithmetical operations**.” Applicants respectfully point out that the arguments made *supra* in regards to claim 1 are equally applicable to claim 5.

Based on the preceding arguments, Applicants respectfully maintains that claim 5 is not unpatentable over Edward et al. and is in condition for allowance.

Applicants contend that claim 7 is not anticipated by Edward et al. because Edward et al. does not teach each and every feature of claim 7. For example, Edward et al. does not teach “wherein the variable control data comprises at least one instruction for a **conditional arithmetical operation**.” Applicants respectfully point out that the arguments made *supra* in regards to claim 1 are equally applicable to claim 7.

Based on the preceding arguments, Applicants respectfully maintains that claim 7 is not unpatentable over Edward et al. and is in condition for allowance.

### CONCLUSION

Applicants request the amendment be entered and, based on the preceding arguments, Applicants respectfully believe that claims 1-3 and 5-8 meet the acceptance criteria for allowance and request reconsideration of the Examiners rejections. If Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invite the Examiner to contact the Applicants' representative at the telephone number listed below.

Respectfully submitted,  
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## **APPENDIX A - IDENTIFICATION OF AMENDED MATERIAL**

Claims 1-3 and 5-8 are amended herein as follow:

1. (Amended) A r[R]ecord carrier comprising:

means for storing at least video-related user data and control data in digital form, which control data enable playback control of the user data;[, which]

wherein the control data comprises:

at least play control data which defines user data items which are playable;[,]

at least selection control data for enabling the user to select and control reproduction of user data; and

at least variable control data for operating on user and system variables[.]; and

[characterized in that] wherein the variable control data comprises at least one instruction for a conditional arithmetical operation.

2. (Amended) The r[R]ecord carrier according to Claim 1, [characterized in that,] wherein the at least one [the] instructions [are] is embedded in Command Lists, [which further comprise] the Command Lists comprising a Command List Header which precedes the instruction and an unconditional goto which succeeds the instruction, and which refers to a next list.

3. (Amended) The r[R]ecord carrier according to Claim 2, [characterized in that] wherein each Command List comprises only one instruction apart from the unconditional goto.

5. (Amended) An apparatus [capable of reproducing user-data] for reproducing user data under control of control data comprising:[,]

a record carrier for storing the user data and the control data [being stored] in digital form [on a record carrier], [which] the user data compris[es]ing at least video data [, which] and the control data compris[es]ing at least play control data, the play control data [which defines] defining user data items which are playable and [at least] selection control data for enabling the user to select and control reproduction of the user data items, [which] the control data [further comprise] comprising [variable control data comprises] instructions for conditional arithmetical operations defining operations on user and system variables[.]; and

[which apparatus is provided with control means comprising] a processor controllable by [said] the control data[, characterized in that the apparatus is adapted to be controlled by variable control data which comprises instructions for conditional arithmetical operations].

6. (Amended) The a[A]pparatus according to Claim 5, [characterized in that] wherein the [control means] processor comprises a single interpreter which is adapted to process the play control data, the selection control data and the variable control data sequentially.

7. (Amended) A m[M]ethod of reproducing [user-data] user data under control of control data comprising:[, according to which method]

reading the user data and the control data [are read] from a record carrier on which the[se] user data and control data are stored in digital form, [which] the user data compris[es]ing at least video data, [which] the control data compris[es]ing play control data, selection control data and variable control data[, according to which method ];

playing the user data [items are played] under control of the play control data, [according to which method] the selection control data enabl[es]ing the user to select and control

reproduction of user data items, [according to which method] the variable control data control operat[ions]ing on user and system variables[, characterized in that,]; and

wherein the variable control data comprises at least one instruction for a conditional arithmetical operation.

8. (Amended) The r[R]ecord carrier according to Claim 2, [characterized in that]:

wherein the play control data is embedded in Play Lists, [which] the Play Lists [at least comprise] comprising at least a Play List Header as a first item and at least one Play Item representing playable [user-data] user data and at least one reference to a further List[, and in that];

wherein the selection control data is embedded in Selection Lists, [which] the Selection Lists [at least comprise] comprising at least a Selection List Header, at least one reference corresponding to a user selection, the Headers being mutually different[,]; and

wherein at least one Command List contains a reference to a Play List of the Play Lists or a Selection List of the Selection Lists.